

AMENDED IN SENATE JANUARY 29, 2014

AMENDED IN SENATE JANUARY 9, 2014

SENATE BILL

No. 466

**Introduced by Senator DeSaulnier
(Coauthor: Senator Wolk)**

February 21, 2013

An act to add and repeal Chapter 4 (commencing with Section 11480) of Title 1 of Part 4 of the Penal Code, relating to the California Institute for Criminal Justice Policy.

LEGISLATIVE COUNSEL'S DIGEST

SB 466, as amended, DeSaulnier. California Institute for Criminal Justice Policy.

Existing law requires the California Law Revision Commission to study, and limits the commission to studying, topics approved by resolution of the Legislature. Existing law requires the commission to examine statutes to discover defects and recommend reforms.

This bill would establish the California Institute for Criminal Justice Policy. This bill would request the University of California to house the institute. This bill would require the institute to conduct a cost-benefit, evidence-based analysis for each pending legislative measure relating to criminal justice and supply the analysis to the appropriate policy and fiscal committees in the Legislature as soon as practicable and not later than 60 days after receiving a request to produce an analysis from a committee. The bill would become operative *after a determination by the Director of the Department of Finance that sufficient private funds have been deposited with the state to fully support the startup and operational activities of the institute for one*

year, would remain operative upon funding being made available in the annual Budget Act, and would be repealed as of January 1, 2018.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 4 (commencing with Section 11480) is
2 added to Title 1 of Part 4 of the Penal Code, to read:

3
4 CHAPTER 4. CALIFORNIA INSTITUTE FOR CRIMINAL JUSTICE
5 POLICY
6

7 11480. The Legislature finds and declares all of the following:

8 (a) For the past 30 years, California's criminal justice system
9 has experienced ongoing problems, including dangerous prison
10 overcrowding. In 2006, California's prison population reached
11 173,000 inmates, at 202 percent of design capacity. State spending
12 on corrections increased by 31 percent in the last decade resulting
13 in reduced funding for higher education, health and social services,
14 and the courts and local law enforcement.

15 (b) Parole reform in 2009 and the 2011 Public Safety
16 Realignment significantly reduced prison populations for the first
17 time in decades. Nonetheless, prisons are still over capacity, jail
18 expansion is increasing across the state, and too few justice system
19 entities have embraced evidence-based practices to increase safety
20 and reduce criminal justice costs.

21 (c) California needs an independent data-driven institution to
22 promulgate best practices in criminal justice and guide the state
23 in a transition from a problem-plagued justice system to
24 evidence-based practices. A dedicated, independent institute can
25 carry out nonpartisan practical research to address the continuing
26 issues in the criminal justice system and delineate models for
27 effective public safety and justice systems.

28 (d) Instituting best practices in the criminal justice system will
29 ultimately save the state money through reduced litigation costs.
30 A 2010 report by the Inspector General of California found that
31 the state paid more than \$139 million between 1997 and 2010 in
32 litigation costs for 12 major class action cases associated with the
33 treatment of inmates and wards in the state. By addressing these

1 issues in a comprehensive manner, future lawsuits could be
2 avoided, and the costs of the existing ongoing litigation could be
3 mitigated.

4 11480.01. There is hereby established in the state government
5 the California Institute for Criminal Justice Policy.

6 The purposes of the institute shall include, but need not be
7 limited to, the facilitation of a comprehensive and coordinated
8 approach to delineate effective public safety and justice systems
9 through the use of evidence-based practices, the promulgation of
10 cost-benefit analyses of criminal justice legislation to promulgate
11 a statewide plan for public safety, and the development of strategies
12 based on data and science that reduce recidivism and hold offenders
13 accountable.

14 11481. The Legislature requests that the University of
15 California house the California Institute for Criminal Justice Policy
16 to facilitate independent and nonpartisan research on issues related
17 to criminal justice and public safety by experts in the University
18 of California system and beyond.

19 11482. (a) The California Institute for Criminal Justice Policy
20 shall conduct a cost-benefit analysis for each pending legislative
21 measure relating to criminal justice.

22 (b) The California Institute for Criminal Justice Policy shall
23 include in an analysis a determination of the potential effectiveness
24 of the policy based on evidence in the field of criminal justice.

25 (c) The California Institute for Criminal Justice Policy shall
26 provide that analysis to the appropriate legislative policy and fiscal
27 committee as soon as practicable and not later than 60 days after
28 receiving a request to produce an analysis from a committee.

29 11483. (a) This chapter shall become operative ~~upon~~ *only after*
30 *the Director of the Department of Finance determines that private*
31 *funds, in an amount sufficient to fully support the startup and*
32 *operational activities of the California Institute for Criminal Justice*
33 *Policy for one year from the date of implementation, have been*
34 *deposited with the state. If the director determines that sufficient*
35 *funding has been secured to support those activities, he or she*
36 *shall file a written statement with the Secretary of the Senate, the*
37 *Chief Clerk of the Assembly, and the Legislative Counsel*
38 *memorializing that determination has been made.*

39 (b) *Once the funds deposited with the state and determined by*
40 *the director to be sufficient to fully support the startup and*

1 *operational activities of the California Institute for Criminal Justice*
2 *Policy for one year from the date of implementation, pursuant to*
3 *subdivision (a), have been expended, this chapter shall remain*
4 *operative upon an appropriation being made in the annual Budget*
5 *Act to implement the purposes, objectives, and operations of the*
6 *California Institute for Criminal Justice Policy.*
7 ~~(b)~~
8 (c) This chapter shall remain in effect only until January 1, 2018,
9 and as of that date is repealed, unless a later enacted statute, that
10 is enacted before January 1, 2018, deletes or extends that date.

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